

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

FILED  
SEP 20 2005

*[Signature]*  
CLERK

\*\*\*\*\*  
UNITED STATES OF AMERICA, \*  
 \*  
Plaintiff, \*  
 \*  
 \*  
vs. \*  
 \*  
MARIO JOEL DIAZ, \*  
 \*  
Defendant. \*  
 \*  
\*\*\*\*\*

CR. 05-M51

FINDING OF  
PROBABLE CAUSE

This matter came before the Court for an initial appearance, preliminary examination and detention hearing on Monday, September 19, 2005. The defendant appeared in person and by his counsel, Assistant Federal Public Defender Tim Langley. The United States appeared by Assistant United States Attorney, John Ulrich.

Based upon the testimony of Ken Baird, Special Agent with Immigration and Customs Enforcement, the court finds probable cause to believe that the defendant has committed the acts alleged in the Complaint.

Dated at Sioux Falls, South Dakota, this 19<sup>th</sup> day of September, 2005.

BY THE COURT:

*[Signature]*  
John E. Simko  
United States Magistrate Judge

ATTEST:

JOSEPH HAAS, Clerk of Courts

By Shelly Margulies, Deputy

(SEAL)